

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CONGREGATION RABBINICAL COLLEGE	:	
OF TARTIKOV, INC., et. al.,	:	
	:	
	:	CIVIL NO. 07:CV 6304 (KMK)
Plaintiffs,	:	
V.	:	
	:	
VILLAGE OF POMONA, NY, et. al.,	:	
	:	
	:	
Defendants.	:	

**AFFIDAVIT OF AMANDA E. GORDON, ESQ.**

STATE OF CONNECTICUT	)	
	)	ss: Hartford
COUNTY OF HARTFORD	)	

I, Amanda E. Gordon, being duly sworn hereby depose and state as follows:

1. I am over the age of eighteen and I understand the obligations of an oath.
2. I am an attorney in the law firm Robinson & Cole, LLP, duly admitted to practice law in the State of Connecticut and admitted *pro hac vice* in the Southern District of New York for purposes of the above-captioned action.
3. I am counsel of record for the Defendants, The Village of Pomona, NY ("Village"); Board of Trustees of the Village of Pomona, NY ("Board of Trustees"); Nicholas Sanderson, as Mayor ("Sanderson"); Ian Banks as Trustee and in his official capacity ("Banks"), Alma Sanders Roman ("Roman") as Trustee and in her official capacity, Rita Louie as Trustee and in her official capacity ("Louie"), and Brett Yagel, as Trustee and in his official capacity

(“Yagel”) (the Village, the Board of Trustees, the Mayor, and the Trustees are hereinafter collectively referred to as the “Village Defendants”).

4. I submit this Affidavit in support of the Village Defendants’ Motion for Summary Judgment filed herewith.

5. In my role as counsel for Defendants, I have personal knowledge of the facts stated herein.

6. Attached as Exhibit 1 are true and accurate copies of excerpts from the deposition of Chaim Babad, taken on May 19, 2014.

7. Attached as Exhibit 2 are true and accurate copies of excerpts from the deposition of Mordechai Babad, taken on May 9, 2014.

8. Attached as Exhibit 3 are true and accurate copies of excerpts from the deposition of Michael Castelluccio, taken on August 12, 2014.

9. Attached as Exhibit 4 are true and accurate copies of excerpts from the deposition of Nathan Fromowitz, taken on June 25, 2014.

10. Attached as Exhibit 5 are true and accurate copies of excerpts from the deposition of Jacob Hershkowitz, taken on May 13, 2014.

11. Attached as Exhibit 6 are true and accurate copies of excerpts from the deposition of Leonard Jackson, taken on August 13, 2014.

12. Attached as Exhibit 7 are true and accurate copies of excerpts from the deposition of Sheftel Neuberger, taken on July 23, 2014.

13. Attached as Exhibit 8 are true and accurate copies of excerpts from the deposition of Chaim Rosenberg, taken on May 2, 2014.

14. Attached as Exhibit 9 are true and accurate copies of excerpts from the deposition of Michael Tauber, taken on May 7, 2014.

15. Attached as Exhibit 10 are true and accurate copies of excerpts from the deposition of Congregation Rabbinical College of Tartikov, Incorporated pursuant to FRCP 30(b)(6), taken on May 5, 2014.

16. Attached as Exhibit 11 are true and accurate copies of excerpts from the deposition of Village of Pomona 30(b)(6) pursuant to FRCP 30(b)(6), taken on July 15, 2014.

17. Attached as Exhibit 12 are true and accurate copies of excerpts from the deposition of Village of Pomona 30(b)(6) pursuant to FRCP 30(b)(6), taken on July 16, 2014.

18. Attached as Exhibit 13 are true and accurate copies of excerpts from the deposition of Village of Pomona 30(b)(6) pursuant to FRCP 30(b)(6), taken on July 17, 2014.

19. Attached as Exhibit 14 are true and accurate copies of excerpts from the deposition of Village of Pomona 30(b)(6) pursuant to FRCP 30(b)(6), taken on July 18, 2014.

20. Attached as Exhibit 15 is a true and accurate copy of the expert report of Preston C. Green, III, dated May 14, 2014.

21. Attached as Exhibit 16 are true and accurate copies of excerpts from the Defendants' Amended Responses to Certain of Plaintiffs' Second Set of Interrogatories, dated December 11, 2013.

22. Attached as Exhibit 17 is a true and accurate copy of a transcript of a Village public hearing on amendment to local law on dormitories and a public hearing on amendment to local law on wetlands, dated January 22, 2007, produced by Plaintiffs during discovery in this matter.

23. Attached as Exhibit 18 is a true and accurate copy of the Certificate of Incorporation for the Congregation Rabbinical College of Tartikov, Inc., produced by Plaintiffs during discovery in this matter.

24. Attached as Exhibit 19 is a true and accurate copy of the Rockland County Recording Certificate of Transfer of Deed and the Bargain and Sale Deed with Covenant Against Grantor's Acts-Individual or Corporation, produced by Plaintiffs during discovery in this matter.

25. Attached as Exhibit 20 is a true and accurate copy of the Resolution of Board of Trustees and Members of Congregation Rabbinical College of Tartikov, Inc., produced by Plaintiffs during discovery in this matter.

26. Attached as Exhibit 21 is a true and accurate copy of the Proposed Rabbinical College of Tartikov Program Schedule, produced by Plaintiffs as attachment 2 of the Plaintiffs' expert report of Steven H. Resnicoff.

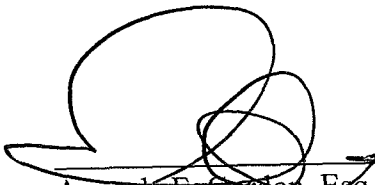
27. Attached as Exhibit 22 is a true and accurate copy of an article that appeared in the Rockland Journal News, entitled Rural Setting Could Change in Pomona, dated January 14, 2007, produced by Defendants during discovery in this matter.

28. Attached as Exhibit 23 is a true and accurate copy of a site location and site layout plan prepared by Leonard Jackson Associates and Saccardi & Schiff Incorporated, produced by Plaintiffs during discovery in this matter.

29. Attached as Exhibit 24 is a true and accurate copy of an email from Michael Castelluccio, an article entitled Religious School with 4500 Residents Planned for Pomona, dated January 9, 2007 and two site plans that were posted to the Preserve Ramapo website, produced by Defendants during discovery in this matter.


30. Attached as Exhibit 25 is a true and accurate copy of the Village of Pomona website home page, which is publically available at <http://www.pomonavillage.com/>.

31. Attached as Exhibit 26 is a true and accurate copy of the U.S. Census Bureau American FactFinder Community Facts website in regard to Pomona, New York, which is publically available [http://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml).



Amanda E. Gordon, Esq.

Sworn to and subscribed before me  
this 22<sup>nd</sup> day of January, 2015.



Notary Public  
My Commission Expires: \_\_\_\_\_

**DANELLE R. DECIANTIS**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JAN. 31, 2019